

# **DOCUMENT 10**

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*Lead Counsel for Direct Purchaser Plaintiffs*

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

IN RE: CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION

Master File No. 07-CV-5944-JST

MDL No. 1917

This Document Relates to:

*ALL DIRECT PURCHASER ACTIONS*

**DECLARATION OF GEOFFREY C.  
RUSHING IN SUPPORT OF DIRECT  
PURCHASER PLAINTIFFS' SECOND  
MOTION TO COMPEL JURISDICTIONAL  
DISCOVERY FROM THE IRICO  
DEFENDANTS**

Special Master: Hon. Vaughn R. Walker (Ret.)

1 I, Geoffrey C. Rushing, declare:

2 1. I am of counsel to Saveri & Saveri, Inc., Lead Counsel for Direct Purchaser  
3 Plaintiffs (“DPPs”) in this action. I am a member of the Bar of the State of California and admitted  
4 to practice in the Northern District of California. I have been involved in virtually every aspect of  
5 this case from its outset in 2007. I make this Declaration in Support of DPPs’ Second Motion to  
6 Compel Jurisdictional Discovery from the Irico Defendants. Except as otherwise stated, I have  
7 personal knowledge of the facts stated below.

8 2. On August 17, 2018, I sent a letter to Stuart C. Plunkett of Baker Botts LLP, counsel  
9 for the Irico Defendants, regarding certain deficiencies in the Irico Defendants’ Supplemental  
10 Objections and Responses to Direct Purchaser Plaintiff Studio Spectrum, Inc.’s First Set of  
11 Interrogatories. Attached hereto at Exhibit 1 is a true and correct copy of my letter to Mr. Plunkett  
12 dated August 17, 2018.

13 3. On August 22, 2018, I received a letter from Mr. Plunkett responding to my letter of  
14 August 17, 2018. Attached hereto as Exhibit 2 is a true and correct copy of Mr. Plunkett’s letter  
15 dated August 22, 2018.

16 4. On September 7, 2018, I sent a letter to Mr. Plunkett regarding Irico’s compliance  
17 with the Court’s order on DPPs’ motion to compel. Attached hereto at Exhibit 3 is a true and  
18 correct copy of my letter to Mr. Plunkett dated September 7, 2018.

19 5. Attached hereto as Exhibit 4 is a true and correct copy of Irico Defendants’ Second  
20 Supplemental Objections and Responses to Direct Purchaser Plaintiff Studio Spectrum, Inc.’s First  
21 Set of Interrogatories, served on August 24, 2018.

22 6. Attached hereto as Exhibit 5 is a true and correct copy of Irico Defendants’ Third  
23 Supplemental Objections and Responses to Direct Purchaser Plaintiff Studio Spectrum, Inc.’s First  
24 Set of Interrogatories, served on September 4, 2018.

25 7. Attached hereto as Exhibit 6 is an organization chart, in Chinese and translated into  
26 English, excerpted from Exhibit 49 submitted by Irico in support of its motions to dismiss, filed on  
27 July 18, 2018 at ECF No. 5312-12. I am informed and believe that the Chinese characters for the  
28

1 name “China Electronics Import and Export IRICO Company” are the same as those for “China  
2 National Electronics Import & Export Caihong Co.”

3 8. Attached hereto as Exhibit 7 is a true and correct copy of Irico Defendants’  
4 Supplemental Objections and Responses to Direct Purchaser Plaintiff Studio Spectrum, Inc.’s First  
5 Set of Interrogatories, served on August 10, 2018.

6 9. On August 7, 2018, I received a letter from Mr. Plunkett regarding certain  
7 documents that the Irico Defendants identified as responsive to DPPs’ discovery requests, and a  
8 summary description of documents that the Irico Defendants are making available for inspection,  
9 their location, and approximate volume. Attached hereto as Exhibit 8 is a true and correct copy of  
10 Mr. Plunkett’s letter and accompanying summary, dated August 7, 2018.

11 I declare under the penalty of perjury under the laws of the United States of America that  
12 the foregoing is true and correct.

13 Executed this 11th day of September, 2018 in San Francisco, California.

14  
15 /s/ Geoffrey C. Rushing  
16 Geoffrey C. Rushing  
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# **EXHIBIT 1**

**SAVERI & SAVERI, INC.**  
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August 17, 2018

***VIA EMAIL***

Stuart C. Plunkett  
Baker Botts LLP  
101 California Street, Suite 3600  
San Francisco, California 94111  
stuart.plunkett@bakerbotts.com

Re: *In re Cathode Ray Tube (CRT) Antitrust Litigation – MDL No. 1917,*  
*Master File No. 07-CV-5944-JST*

Dear Stuart:

I write regarding the Irico Defendants' Supplemental Objections and Responses to Direct Purchaser Plaintiff Studio Spectrum, Inc.'s First Set of Interrogatories (Aug. 10, 2018) ("Supplemental Responses"). They are deficient and do not comply with the Special Master's Order re DPPs' Motion for Jurisdictional Discovery (ECF No. 5320) ("Order"). Plaintiffs request that the Irico Defendants provide a complete response by August 24, 2018.

Interrogatory No. 9

The Irico Defendants' supplemental response to Interrogatory No. 9 is plainly deficient. The Special Master's Order provides:

Irico shall (1) ***respond fully to Interrogatory No 9*** no later than August 10, 2018 and (2) within that response, identify all documents that Mr Zhang considered, ***the dates he was provided with such documents***, the names of the individuals who provided the documents to him and the names of all individuals who communicated with him about his declaration ***or were otherwise involved in the preparation of his declaration***.

ECF No. 5320 at 9 (emphases added).

Interrogatory No. 9 requires that your clients "describe with particularity" Mr. Zhang's investigation, including documents reviewed and persons with whom he communicated. However, despite the Order, the supplemental response contains little meaningful description of Mr. Zhang's investigation. Among other things, it fails to describe the nature of the information Mr. Zhang obtained from the individuals he consulted, and it does not meaningfully describe the documents he reviewed, when he

Stuart C. Plunkett

8/17/2018

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reviewed them and/or who provided them to him. Plaintiffs request that the Irico Defendants provide immediately a full response to this interrogatory, as required by the Special Master's Order.

Further, as to describing the documents Mr. Zhang reviewed, the Irico Defendants referral to their entire initial document production and to "archival sales and accounting records that Irico has previously agreed to make available for inspection" is an evasion of the Order. It provides no meaningful information. Indeed, the documents the Irico Defendants have purportedly "agreed" to make available at some future date at several different locations in China comprise over five million pages according to your letter of August 7, 2018 and the accompanying summary.

The supplemental response also discloses for the first time that Mr. Zhang received and reviewed "archival sales and accounting records" provided by three individuals. This appears to contradict your previous representation that all of the documents Mr. Zhang reviewed have been produced. *See, e.g.*, Surreply letter brief dated July 25, 2018 ("Irico has produced the documents that Mr. Zhang considered."). Please confirm that all of the documents reviewed by Mr. Zhang have been produced, or produce them immediately.

The supplemental response also lacks the required date information as well as any information about individuals involved in the preparation of Mr. Zhang's declaration. If no persons were involved in the preparation of his declaration without communicating with him, please include that information in the supplemental response.

In addition, the Irico Defendants' supplemental response to Interrogatory No. 9 does not include the information requested by Instruction No. 1 ("When asked to identify a natural person, state the person's name, employer, position dates of employment/tenure, and home address for all times during the Relevant Time Period."). While the Irico Defendants have provided some of this information piecemeal, and for some of the individuals listed in this supplemental response, DPPs request that the Irico Defendants further supplement their response to provide a complete answer.

Please advise immediately if the Irico Defendants do not intend to provide a full supplemental response by August 24, 2018.

#### Interrogatory No. 20

Please advise as to when the Irico Defendants' will provide a complete supplemental response to Interrogatory No. 20 to "identify all managerial persons with knowledge of United States sales of Irico's CRT Products throughout the class period and their work histories." To date, the Irico Defendants have not provided work histories for Ximin Wang, Jianshe Wei, or Xiaolin Shen.

The supplemental response also indicates that:

Stuart C. Plunkett

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Irigo will further supplement this response by (1) identifying the locations of all repositories of any electronic documents or files relating to United States sales of Irigo's CRT Products and the legal relationships of Irigo and any entities that sold Irigo's CRT Products in the United States throughout the class period; and (2) providing summary explanations of sales records relevant to United States sales of Irigo's CRT Products and of "Irigo's efforts to sell products in the U.S. during the class period."

If this is all that the Irigo Defendants intend to do, it does not comply with the Special Master's Order. The Order provides that Irigo must also:

(1) supplement its responses in full no later than September 4, 2018, (2) search for and produce all documents relating to any and all sales of Irigo CRT Products into the United States during the class period by any party whether related or not, including Irigo Electronics, Xian Irigo Display Technology Co, Ltd and Caihong Co, and any other entity that exported Irigo's CRT products into the United States no later than September 4, 2018, (3) search for and produce pertinent documents detailing the legal relationship of Irigo and Caihong Co and any other exporter of Irigo's CRT products into the United States throughout the class period no later than September 4, 2018 . . . .

ECF No. 5320 at 4–5. Please advise immediately whether the Irigo Defendants intend to supplemental their response *in full* by September 4, 2018, and whether they intend to search for and produce such documents, as required by the Special Master's Order.

Thank you.

Very truly yours,

*s/ Geoffrey C. Rushing*

Geoffrey C. Rushing

Cc: John Taladay  
Erik T. Koons  
Thomas E. Carter  
Ashley Eickhof  
Kaylee Yang  
Mario N. Alioto  
Lauren C. Capurro  
Christopher T. Micheletti  
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# **EXHIBIT 2**

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August 22, 2018

*VIA E-MAIL*

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Geoffrey C. Rushing (E-mail: grushing@saveri.com)  
Cadio Zirpoli (E-mail: cadio@saveri.com)  
Matthew D. Heaphy (E-mail: mheaphy@saveri.com)  
SAVERI & SAVERI, INC.  
706 Sansome St # 200  
San Francisco, CA 94111

Re: *In re: Cathode Ray Tube (CRT) Antitrust Litigation -*  
Master File No. 3:07-cv05944-JST; MDL No. 1917

Dear Geoffrey:

I write in response to your letter dated August 17, 2018. Contrary to your assertions, Irico Defendants' Supplemental Objections and Responses to Direct Purchaser Plaintiff Studio Spectrum, Inc.'s First Set of Interrogatories ("Supplemental Responses") are not deficient and do not violate the Special Master's Order re DPPs' Motion for Jurisdictional Discovery (ECF No. 5320) ("Order"). Aside from a few minor issues that Irico agrees to clarify in its upcoming supplement, DPPs fail to identify any deficiency in Irico's Supplemental Responses.

Interrogatory No. 9

DPPs claim that Irico failed to describe Mr. Zhang's investigation performed in connection with the preparation of his declaration. But Irico identified the documents Mr. Zhang considered, the name and position of all individuals who provided these documents to Mr. Zhang, the individuals who Mr. Zhang communicated with, and Mr. Zhang's best recollection regarding timing. It is not clear what other information would be responsive, and your letter does not address what further information DPPs seek.

DPPs also claim that Irico does not adequately describe the information provided to Mr. Zhang, but in fact Irico has identified, to the best of Mr. Zhang's recollection, everything that

August 22, 2018

was provided to him. As stated in the Supplemental Responses, Mr. Zhang was provided the documents produced in Irico's first production, and Mr. Zhang considered the archival sales records that Irico has already made available for inspection. DPPs complain that the identification of these documents is an evasion of the discovery order, but it is unclear what additional information DPPs seek. Regarding the voluminous archival accounting records, it should be obvious that Mr. Zhang did not review the entire archive, but simply confirmed the absence of U.S. sales in those records. Your letter suggests that Irico has not made these archives available, but that is plainly not true. We have repeatedly made clear that these documents are available for inspection and asked if DPPs wanted to inspect them. In fact, we explained that these documents were available for inspection in our initial responses, dated May 4, 2018. Then again, during our August 3rd meet and confer we asked that DPPs provide dates that they would like to review the documents. Then again, in our August 7th letter, we reiterated the availability of these documents for inspection, stating: "[e]nclosed is a description of documents that ***Irico is making available for inspection***, their location, and approximate volume." Lest any confusion remain, these documents are and have been available for inspection. If you would like to review them, please provide us with inspection dates, so Irico can make any necessary arrangements to facilitate your review.

DPPs state that the Supplemental Responses fail to provide the required date information, but Mr. Zhang provided his best recollection. It is unclear what more information DPPs request. With regard to DPPs contention that Irico has not identified the individuals involved in the preparation of the declaration, Irico will supplement its response to clarify that Mr. Zhang did not work with any individuals, aside from outside counsel, to prepare his declaration.

Finally, to the extent Irico has not already provided the information, Irico will supplement its response with any additional information it has regarding the work history of Zhaojie Wang, Yunlong Yan, Ye Yang, Tao Long, Mei Li, Hua Yang during the relevant time period.

#### Interrogatory No. 20

Below is the work history for Ximin Wang, Jianshe Wei, and Xiaolin Shen; which we will also include in our August 24, 2018 supplemental responses:

- **Ximin Wang:**
  - 08/1978 - 02/1988
    - Irico 4400 Plant, Technician
  - 03/1988 – 08/1994
    - Irico 4400 Plant CRT No.2 Plant, Director of the Electron Gun Department
  - 08/1994 – 10/1995
    - Irico 4400 Plant, Director of Technical Department

- 10/1995 - 01/1999
  - Irico Color CRT General Plant, General Manager of Sales Company
- 01/1999 – 04/2001
  - Irico Group Corporation, Deputy Director of Technical Center
- 04/2001 - 12/2004
  - Irico Group Corporation, Director of Manufacturing Department
- 12/2004 – 07/2005
  - Irico Electronics, Assistant to the CEO and General Manager of the Operation Department
- 08/2005 – 11/2007
  - Irico Electronics, Deputy CEO; Irico Display, Chairman of the Board of Directors
- 12/2007 – 09/2011
  - Irico Display, General Manager
- 09/2011 – 09/2013
  - Irico Group Corporation, General Economist and General Manager of Shaanxi Branch (*retired*)
- **Jian-she Wei:**
  - 08/1981 – 12/1989
    - Irico 4400 Plant, a Team Leader of part of an assembly line
  - 12/1989 – 08/1990
    - Caizhu Electronic Industry Company, Deputy General Manager
  - 08/1990 – 01/1999
    - Caizhu Electronic Industry Company (now named Zhuhai Caizhu Industry Company), General Manager
  - 01/1999 – 11/2000
    - Irico Group, Sales Company, Deputy General Manager
  - 11/2000 – 01/2004
    - Irico Group, Sales Company, General Manager
  - 01/2004 – 05/2005
    - Shenzhen Caihong Huangqi Electronic Information Company, Director, Deputy Chairman of the Board of Directors, General Manager
  - 05/2005 – 04/2018
    - Zhuhai Caizhu Industry Company, on leave (*retired*)
- **Xiaolin Shen**
  - 03/1974 – 03/1977
    - Farmer
  - 03/1977 – 03/1984
    - Shaanxi Province Bureau of Earthquake, Employee; Shaanxi Province Planning Committee, Employee.

**BAKER BOTTS** LLP

August 22, 2018

- 03/1984 – 01/1992
  - Irico Group Corporation, CRT Plant No. 1, Secretary of the company's office and Director of the company's office
- 10/1992 – 08/2004
  - Irico Group Corporation, Sales Company, Assistant to the General Manager and Deputy General Manager
- 08/2004 – 11/2007
  - Irico Group Corporation, Sales Company, General Manager
- 11/2007 – 01/2009
  - Irico Display, Assistant to General Manager and General Manager of Sales Department
- 01/2009 – 09/2013
  - Irico Display, Deputy General Manager, and General Manager of Sales Department
- 09/2013 – 10/2015
  - Zhuhai Caizhu Limited Company, Managing Director (*retired*)

To the extent your letter addresses the Special Master's Order regarding the September 4, 2018 deadline, Irico will comply with that deadline.

Sincerely,



Stuart C. Plunkett

cc: Mario N. Alioto (malioto@tatp.com)  
Lauren C. Capurro (lauren russell@tatp.com)  
Joseph M. Patane (jpatane@tatp.com)  
Christopher Micheletti (cmicheletti@zelle.com)  
Qianwei Fu (qfu@zelle.com)

# **EXHIBIT 3**

**SAVERI & SAVERI, INC.**  
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SAN FRANCISCO, CALIFORNIA 94111  
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September 7, 2018

***VIA EMAIL***

Stuart C. Plunkett  
Baker Botts LLP  
101 California Street, Suite 3600  
San Francisco, California 94111  
stuart.plunkett@bakerbotts.com

Re: *In re Cathode Ray Tube (CRT) Antitrust Litigation* – MDL No. 1917,  
Master File No. 07-CV-5944-JST

Dear Stuart:

We have reviewed you clients' supplemental responses to Interrogatory No. 20 and RFP No. 9. We believe that they do not comply with the Court's order on DPPs' motion to compel.

First, we believe that your clients have not provided all documents related to the sales of Irico CRT Products in the United States as required. As we have discussed, however, DPPs believe there must be documents related to the U.S. sales we know about—e.g., documents reporting the sales to the Chinese export agency, documents relating to the transactions between Group or Display and Caihong Co., and Caihong Co. documents relating to the sales (i.e., invoices, bills, communications leading up to the sales, marketing efforts, etc.). Your clients, however, have produced no new documents.

Second, your clients' response does not reasonably explain their U.S. sales which occurred over six separate years, or their marketing efforts in the U.S.

Third, we believe that your clients' responses do not adequately describe the relationship between Group and Display and the sales entities, including Caihong Co., they have sold through. Your clients' responses continue to be conclusory and contradicted by the evidence we are aware of. As we have noted, for example, Caihong Co. appears to be owned by Group, shares a name with the Irico entities, shares an address with the Irico entities, and shares officers and employees with other Irico entities.

Please let us know Monday whether your clients will agree to provide full responses.

Finally, during our meet and confer last Friday, I asked when your clients would produce documents related to the meetings with competitors as ordered by the Court. You

Stuart C. Plunkett

9/7/2018

Page 2

said that they were working to do so, but could not provide a date. Please let us know a date certain by which they will provide the material ordered by the Court.

Thank you.

Very truly yours,

*s/ Geoffrey C. Rushing*

Geoffrey C. Rushing

Cc: John Taladay  
Erik T. Koons  
Thomas E. Carter  
Ashley Eickhof  
Kaylee Yang  
Mario N. Alioto  
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crt.703



# **EXHIBIT 4**

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6 Stuart C. Plunkett (State Bar No. 187971)  
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10 *Attorneys for Defendants*  
*IRICO GROUP CORP. and*  
11 *IRICO DISPLAY DEVICES CO., LTD.*

12 **UNITED STATES DISTRICT COURT**  
13 **NORTHERN DISTRICT OF CALIFORNIA**  
14 **SAN FRANCISCO DIVISION**

15  
16 IN RE: CATHODE RAY TUBE (CRT)  
17 ANTITRUST LITIGATION

Case No. 3:07-cv-05944-JST

MDL No. 1917

18  
19 This Document Relates to:

20 ALL DIRECT PURCHASER ACTIONS

**IRICO DEFENDANTS' SECOND  
SUPPLEMENTAL OBJECTIONS AND  
RESPONSES TO DIRECT  
PURCHASER PLAINTIFF STUDIO  
SPECTRUM, INC.'S FIRST SET OF  
INTERROGATORIES**

21  
22 PROPOUNDING PARTY:

Direct Purchaser Plaintiff Studio Spectrum, Inc.

23 RESPONDING PARTIES:

Irico Group Corporation  
Irico Display Devices Co., Ltd.

24  
25 SET NO.:

One

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28 IRICO'S 2ND SUPP. OBJECTIONS AND  
RESPONSES TO DPP'S FIRST SET  
INTERROGATORIES

Master File No. 3:07-cv-05944-SC  
MDL No. 1917

Pursuant to Federal Rules of Civil Procedure 26 and 33, Irico Group Corporation and Irico Display Devices Co, Ltd. (collectively, “Irico” or “Irico Defendants”) hereby respond to the Direct Purchaser Plaintiff Studio Spectrum, Inc.’s (“Plaintiff”) First Set of Interrogatories (“Interrogatories”). Irico reserves the right to amend or supplement these Objections and Responses (the “Responses”) to the extent allowed by the Federal Rules of Civil Procedure and the Local Rules of Practice in Civil Proceedings before the United States District Court for the Northern District of California (“Local Rules”). Subject to and without waiving any of Irico’s General and Specific Objections as set forth below, Irico is willing to meet and confer with Plaintiff regarding such General and Specific Objections.

The following Responses are made only for purposes of this case. The Responses are subject to all objections as to relevance, materiality and admissibility, and to any and all objections on any ground that would require exclusion of any response if it were introduced in court. All evidentiary objections and grounds are expressly reserved.

These Responses are subject to the provisions of the Stipulated Protective Order that the Court issued on June 18, 2008 (“Protective Order”). Irico’s Responses are hereby designated “Confidential” in accordance with the provisions of the Protective Order.

### **GENERAL OBJECTIONS**

Irico makes the following General Objections to Plaintiff’s Interrogatories:

1. Irico’s Responses are based upon information available to and located by Irico as of the date of service of these Responses. In responding to Plaintiff’s Interrogatories, Irico states that it has conducted, or will conduct, a diligent search, reasonable in scope, of those files and records in its possession, custody, or control believed to likely contain information responsive to Plaintiff’s Interrogatories.

2. No express, incidental, or implied admissions are intended by these Responses and should not be read or construed as such.

3. Irico does not intend, and its Responses should not be construed as, an agreement or acquiescence with any characterization of fact, assumption, or conclusion of law contained in

1 or implied by the Interrogatories.

2 4. To the extent that Irico responds to Plaintiff's Interrogatories by stating that Irico  
3 will produce or make available for examination responsive information or documents, Irico does  
4 not represent that any such information or documents exist. Irico will make a good faith and  
5 reasonable attempt to ascertain whether information responsive to Plaintiff's Interrogatories exists  
6 and is properly producible, and will produce or make available for examination non-privileged  
7 responsive materials to the extent any are located during the course of a reasonable search.

8 5. Irico objects to Plaintiff's Interrogatories to the extent that they are overly broad,  
9 unduly burdensome, oppressive, and duplicative to the extent that they seek information or  
10 documents that are already in the possession, custody, or control of Plaintiff.

11 6. Irico objects to Plaintiff's Interrogatories to the extent that they seek to impose  
12 obligations on Irico beyond those of the Federal Rules of Civil Procedure, the Local Rules, or any  
13 Order of this Court.

14 7. Irico objects to Plaintiff's Interrogatories to the extent they seek information that is  
15 not relevant to jurisdictional issues or disproportionate to the needs of the case in resolving such  
16 jurisdictional issues.

17 8. Irico objects to Plaintiff's Interrogatories to the extent that they are vague,  
18 ambiguous, or susceptible to more than one interpretation. Irico shall attempt to construe such  
19 vague or ambiguous Interrogatories so as to provide for the production of responsive information  
20 that is proportionate to the needs of the case. If Plaintiff subsequently asserts an interpretation of  
21 any Interrogatory that differs from Irico's understanding, Irico reserves the right to supplement or  
22 amend its Responses.

23 9. Irico objects to Plaintiff's Interrogatories to the extent that they contain terms that  
24 are insufficiently or imprecisely defined. Irico shall attempt to construe such vague or ambiguous  
25 Interrogatories so as to provide for the production of responsive information that is proportionate  
26 to the needs of the case.

1           10.     Irico objects to Plaintiff's Interrogatories to the extent that they seek information  
2 that is protected from disclosure by the attorney-client privilege, work product doctrine, joint  
3 defense or common interest privilege, self-evaluative privilege, or any other applicable privilege  
4 or immunity. Irico will provide only information that it believes to be non-privileged and  
5 otherwise properly discoverable. None of Irico's responses is intended nor should be construed as  
6 a waiver of any such privilege or immunity. The inadvertent or mistaken provision of any  
7 information or responsive documents subject to any such doctrine, privilege, protection or  
8 immunity from production shall not constitute a general, inadvertent, implicit, subject-matter,  
9 separate, independent or other waiver of such doctrine, privilege, protection or immunity from  
10 production.

11           11.     Irico objects to Plaintiff's Interrogatories to the extent that they call for  
12 information that is not in the possession, custody, or control of Irico. Irico also objects to the  
13 extent that any of Plaintiff's Interrogatories seek information from non-parties or third parties,  
14 including but not limited to any of Irico's subsidiary or affiliated companies.

15           12.     Irico objects to Plaintiff's Interrogatories to the extent that responding would  
16 require Irico to violate the privacy and/or confidentiality of a third party or confidentiality  
17 agreement with a third party.

18           13.     Irico objects to Plaintiff's Interrogatories to the extent that they seek information  
19 that is publicly available, already in Plaintiffs' possession, custody, or control, or more readily  
20 available from other sources.

21           14.     Irico objects to Plaintiff's Interrogatories to the extent that they seek information  
22 or documents concerning transactions outside the United States. Such Interrogatories are unduly  
23 burdensome and irrelevant because they do not relate to actions by Irico in or causing a direct  
24 effect in the United States. Such Interrogatories are also unduly burdensome and irrelevant to this  
25 pending action as Plaintiffs' class definition is confined to "all persons . . . who directly  
26 purchased a Cathode Ray Tube Product . . . in the United States" (see Direct Purchaser Plaintiffs'  
27 Consolidated Amended Complaint).

1           15.     Irico objects to Plaintiff's Interrogatories to the extent that compliance would  
2 require Irico to violate the laws, regulations, procedures, or orders of a judicial or regulatory body  
3 of foreign jurisdictions.

4           16.     Irico's responses, whether now or in the future, pursuant to Plaintiff's  
5 Interrogatories should not be construed as either (i) a waiver of any of Irico's general or specific  
6 objections or (ii) an admission that such information or documents are either relevant or  
7 admissible as evidence.

8           17.     Irico objects to Plaintiff's Interrogatories to the extent that compliance would  
9 require Irico to seek information stored on backup or archived databases or other systems that are  
10 not readily accessible or otherwise no longer active.

11          18.     Irico objects to Plaintiff's Interrogatories to the extent that they are compound  
12 and/or contain discrete subparts in violation of Federal Rule of Civil Procedure 33(a)(1).

13          19.     Irico objects to Plaintiff's Interrogatories to the extent that they state and/or call for  
14 legal conclusions.

15          20.     Irico objects to the Interrogatories to the extent that they contain express or  
16 implied assumptions of fact or law with respect to the matters at issue in this case.

17          21.     Irico reserves the right to assert additional General and Specific Objections as  
18 appropriate to supplement these Responses.

19                 These General Objections apply to each Interrogatory as though restated in full in the  
20 responses thereto. The failure to mention any of the foregoing General Objections in the specific  
21 responses set forth below shall not be deemed as a waiver of such objections or limitations.

22                   **GENERAL OBJECTIONS TO DEFINITIONS AND INSTRUCTIONS**

23          1.     Irico objects to the definitions of "You" and "Your" (Definition No. 6) to the  
24 extent that Plaintiff defines those terms to include the Irico's "predecessors, successors,  
25 subsidiaries, departments, divisions, and/or affiliates." This definition is legally incorrect,  
26 overbroad, unduly burdensome, vague, and ambiguous. Irico also objects to the inclusion of "all  
27 present and former directors, officers, Employees, agents, representatives or any Persons acting or

1 purporting to act on behalf of” Irico within this definition to the extent it purports to encompass  
2 information that is protected by attorney-client privilege, work product protection or any other  
3 applicable doctrine, privilege, protection or immunity or otherwise calls for a legal conclusion.

4 2. Irico objects to the definition of “Document” (Definition No. 8) to the extent it  
5 seeks to impose requirements that are beyond those imposed by the Federal Rules of Civil  
6 Procedure, the Local Rules, or any other applicable laws.

7 3. Irico objects to the definition of “Employee” (Definition No. 9) on the grounds  
8 that it calls for a legal conclusion and is otherwise vague, ambiguous, and overly broad. Irico  
9 further objects to this definition to the extent that it attempts to impose burdens on Irico beyond  
10 those imposed by the Federal Rules of Civil Procedure. Irico further objects to this definition to  
11 the extent that it seeks information protected by the attorney client or other applicable privilege,  
12 attorney work product doctrine, or otherwise seeks to violate rights of privacy under U.S. or  
13 foreign law.

14 4. Irico objects to the definitions of “CRT” and “CRT Products” (Definitions No. 10  
15 and 11) on the grounds that they are vague, ambiguous and overly broad. Irico further objects to  
16 the use of the term “CRT Products” to the extent that it is inconsistent with the definition of  
17 “CRT Products” as set forth in Plaintiff’s pleadings.

18 5. Irico objects to the definition of the “Relevant Time Period” (Definition No. 12) as  
19 overbroad, unduly burdensome, beyond the applicable statute of limitations, and beyond the  
20 relevant time period for determining jurisdictional issues.

21 6. Irico objects to the definition of “Communication” (Definition No. 14) on the  
22 grounds that it is vague, ambiguous, and overly broad. Irico further objects to this definition to the  
23 extent that it attempts to impose burdens on Irico beyond those imposed by the Federal Rules of  
24 Civil Procedure.

25 7. Irico objects to the definition of “Meeting” (Definition No. 16) on the grounds that  
26 the definition is overly broad, unduly burdensome, and seeks information that is neither relevant  
27 nor proportionate to the needs of the case.

8. Irico objects to Instruction No. 1 (related to identification of persons) to the extent that it purports to impose burdens or obligations broader than, inconsistent with, or not authorized under the Federal Rules of Civil Procedure, including, without limiting the generality of the foregoing, Rule 26(b)(5)(A) and Rule 26(e)(1). Irico further objects to this Instruction to the extent that it purports to impose burdens or obligations broader than, inconsistent with, or not authorized under, the Local Rules and any orders of the Court, and on the grounds that it is vague, ambiguous, and inconsistent with common usage. Irico further objects to this Instruction to the extent it seeks information that would disclose personal confidential information and/or violate any and all rights of privacy under the United States Constitution or Article I of the Constitution of the State of California, or any other applicable law or state constitution, or that is otherwise prohibited from disclosure because to do so would cause Irico to violate legal and/or contractual obligations to any other persons or entities.

9. Irico objects to Instruction No. 2 (related to identification of an entity other than a natural person) to the extent that it purports to impose burdens or obligations broader than, inconsistent with, or not authorized under the Federal Rules of Civil Procedure or other applicable rule or Order of this Court.

10. Irico objects to Instruction No. 3 (related to the production of business records in response to an interrogatory pursuant to Federal Rule of Civil Procedure 33(d)) on the grounds that it is unduly burdensome and purports to impose burdens and obligations upon Irico beyond those required by the Federal Rules of Civil Procedure or other applicable rule or Order of this Court.

### **SPECIFIC RESPONSES TO INTERROGATORIES**

#### **INTERROGATORY NO. 9**

Please describe with particularity all investigation or collection of information that Wenkai Zhang performed in connection with the preparation of his declaration, including:

- a. The identity of all Employees, officers or agents of Irico with whom he communicated (whether oral or written) in connection with his declaration; and



b. The identity of all Documents he reviewed in connection with his declaration.

**RESPONSE TO INTERROGATORY NO. 9**

Irico reasserts and incorporates each of the General Objections and Objections to the Definitions and Instructions set forth above. Irigo further objects that this request seeks information and documents beyond the scope of what is relevant to resolving jurisdictional issues and beyond that authorized under the Court's April 25, 2018 Order Denying Plaintiffs' Motion to Compel. Mr. Zhang's declaration is no longer at issue, because his declaration was submitted in support of Irigo's Motion to Set Aside Default, which the Court has already decided. Irigo also objects that this request is overbroad, unduly burdensome, and disproportionate to the needs of the case in resolving jurisdictional issues. Irigo also objects that this request calls for information and documents that are privileged under the attorney-client privilege and work product doctrine. Irigo also objects to this interrogatory on the grounds that identification of "all Persons" and "all Documents" is overbroad, unduly burdensome, and disproportionate to the needs of the case.

**SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 9**

Subject to and without waiving the objections stated above and pursuant to the Special Master's August 2, 2018 order (Dkt. No. 5320), Irigo responds as follows:

In the process of preparing the declaration he executed on October 25, 2017, Mr. Zhang reviewed (1) all documents Bates labeled IRI-CRT-00000001 through -904; and (2) archival sales and accounting records. These archival records were provided to Mr. Zhang by: Mei Li, Director of Irigo Group Archive; Hua Yang, Director of Department of Accounting of Irigo Group; Tao Long, Secretary to the Board of Directors of Irigo Display. Mr. Zhang does not remember with specificity which documents he reviewed on which dates, but he began reviewing these documents in September of 2017 and completed his review in December of 2017.

Aside from his discussions with counsel, Mr. Zhang communicated about the preparation of his declaration with Zhaojie Wang, Yunlong Yan, Ye Yang, and Tao Long.

**SECOND SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 9**

Subject to and without waiving the objections stated above and pursuant to the Special

Master's August 2, 2018 order (Dkt. No. 5320), Irico responds as follows:

Mr. Zhang did not work with any individuals, aside from outside counsel, to prepare his declaration.

**INTERROGATORY NO. 20**

Please describe with particularity Irico's sales and marketing of CRT Products in the United States during the Class Period, and/or attempts to sell or market any CRT Products in the United States during the Class Period, including:

- a. The identity of all Persons with knowledge of such sales and marketing and/or attempts to sell or market CRT Products in the United States; and
- b. The identity of all Documents referring or relating to such sales and marketing and/or attempts to sell or market CRT Products in the United States.

**RESPONSE TO INTERROGATORY NO. 20**

Irico reasserts and incorporates each of the General Objections and Objections to the Definitions and Instructions set forth above. Irico further objects that this request seeks information and documents beyond the scope of what is relevant to resolving jurisdictional issues and beyond that authorized under the Court's April 25, 2018 Order Denying Plaintiffs' Motion to Compel. Irico also objects that this request is overbroad, unduly burdensome, and disproportionate to the needs of the case in resolving jurisdictional issues. Irico also objects to this interrogatory on the grounds that identification of "all Persons" and "all Documents" is overbroad, unduly burdensome, and disproportionate to the needs of the case.

Subject to and without waiving these objections and pursuant to Federal Rule of Civil Procedure 33(d), Irico will produce or make available for inspection business records from which the answer to this Interrogatory may be determined.

Irico further states that Guo Menquan and Tao Long have knowledge of this subject.

**SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 20**

Subject to and without waiving the objections stated above and pursuant to the Special Master's August 2, 2018 order (Dkt. No. 5320), Irico responds as follows:

The managerial persons with knowledge of any United States sales of Irico's CRT Products throughout the class period and their work histories are as follows:

- Tao Long (current employee)
  - May 1992-Oct. 1996: Accountant in the Finance Department, Irico Group
  - Oct. 1996-Nov. 2000: Chief of Finance, Irico CRT No. 1 Plant
  - Nov. 2000-June 2007: Chief of Finance, Irico Group Glass Factory
  - July 2009-Nov. 2009: Deputy Director (Finance), Irico Display
  - Nov. 2009-Oct. 2010: Director (Capital Operation), Irico Display
  - Apr. 2010-present: Secretary to the Board of Directors, Irico Display
  - Aug. 2013-Apr. 2014 (concurrent): Director (Finance), Irico Display
- Guo Mengquan (former employee, retired May 2017)
  - Sept. 1983-Jan. 1987: Technical employee, Shaanxi Color CRT Central Plant
  - Jan. 1987-Sept. 1988: Associate Director (CPT Department), Shaanxi Color CRT Central Plant
  - Sept. 1988-Jan. 1990: Director (CPT Department), Shaanxi Color CRT Central Plant
  - Jan. 1990-Sept. 1996: Associate General Manager (Glass Plant), Shaanxi Color CRT Central Plant
  - Sept. 1996-Apr. 2001: General Manager (Glass Plant), Shaanxi Color CRT Central Plant
  - Apr. 2001-Apr. 2013: Deputy General Manager, Irico Group
  - Aug. 2005-Nov. 2007 (concurrent): General Manager, Irico Electronics
  - Nov. 2007-Aug. 2011 (concurrent): Deputy Chairman of the Board, Irico Display
  - Apr. 2013-Apr. 2016: General Manager, Irico Group
  - June 2013-2015 (concurrent): Chairman of the Board, Irico Electronics

- June 2013-May 2016 (concurrent): Chairman of the Board, Irico Display
- Apr. 2016-May 2017: Deputy Chairman of the Board, Irico Group
- Zhaojie Wang (current employee of Irico Group subsidiary)
  - Work history detailed at Dkt. No. 5313-2, ¶¶ 1-7.

Pursuant to the Special Master's August 2, 2018 order (Dkt. No. 5320), Irico will further supplement this response by (1) identifying the locations of all repositories of any electronic documents or files relating to United States sales of Irico's CRT Products and the legal relationships of Irico and any entities that sold Irico's CRT Products in the United States throughout the class period; and (2) providing summary explanations of sales records relevant to United States sales of Irico's CRT Products and of "Irico's efforts to sell products in the U.S. during the class period."

## **SECOND SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 20**

Subject to and without waiving the objections stated above and pursuant to the Special Master's August 2, 2018 order (Dkt. No. 5320), Irico provides the following responsive descriptions:

### **1. "Irico's efforts to sell products in the U.S. during the class period."**

During the relevant time period, Irico Group and Irico Display ("Irico") neither exported nor planned to export CRT products to the U.S. Irico focused its production of CRTs on sales within the domestic Chinese market. Such CRTs were generally considered outmoded by U.S. standards. Thus, Irico did not target the U.S. market because its CRTs were several years behind the U.S. demand.

Irico is aware from review of customs records that an independent company, CNEIECC, resold samples of Irico's CRTs into the U.S. in an apparent effort to enter the U.S. market. Irico understands this effort was ultimately a failure. CNEIECC did not report these efforts to Irico at the time.

1           **2. “Summary explanations of sales records relevant to United States sales of**  
 2           **Irico’s CRT Products and of Irico’s efforts to sell products in the U.S. during**  
 3           **the class period.”**

4           First, Irico Group’s corporate archives are located on the first and third floors of Building  
 5           102 of Irico Group Headquarters, 1 Caihong Road, Qindu District, Xianyang, Shaanxi Province,  
 6           People’s Republic of China. These archives contain a total of over 150 file cabinets and over  
 7           5,500 file boxes, of which the following are potentially responsive to plaintiffs’ discovery  
 8           requests:

- 9           a)       Approximately 700 bound volumes of financial records for Irico Group, dated  
 10           from 1995 to 2007 and organized chronologically. These financial records include  
 11           contracts, receipts, invoices, approvals from the government, and approvals issued  
 12           by Irico Group relating to operations, suppliers, investment, and financing. Each  
 13           volume ranges from approximately 100 to 300 pages depending on the volume of  
 14           transactions in each period.
- 15           b)       Approximately 150 bound account books for Irico Group, dated from 1995 to  
 16           2007 and organized chronologically. These account books contain information on  
 17           Irico Group’s sales, assets, operations, and cash flow based on the financial  
 18           documents described above. Each account book contains approximately 200 to  
 19           500 pages.

20           Second, additional financial archive files of Irico Group are located at the Caihong  
 21           Building at 11 Shangdi Xinxi Road, Haidian District, Beijing, People’s Republic of China. These  
 22           archives contain approximately 730 bound volumes of financial records and over 70 account  
 23           books dated between 1995 and 2007. These documents are organized chronologically and similar  
 24           in content and size to the financial documents and account books described above at the Irico  
 25           Group Headquarters location.

26           Third, Irico Display’s corporate archives are stored within the archives of Shaanxi Irico  
 27           Electronic Glass Co., a subsidiary of Irico Display. Approximately 1,500 bound account books  
 28           for Irico Display, dated from 1995 to 2007 and organized chronologically. These account books

contain information on Irico Display's sales, assets, operations, and cash flow. Each account book contains approximately 200 to 500 pages.

**3. "Managerial persons with knowledge of any United States sales of Irico's CRT Products throughout the class period and their work histories"**

• **Ximin Wang:**

- 08/1978 - 02/1988
  - Irico 4400 Plant, Technician
- 03/1988 – 08/1994
  - Irico 4400 Plant CRT No.2 Plant, Director of the Electron Gun Department
- 08/1994 – 10/1995
  - Irico 4400 Plant, Director of Technical Department
- 10/1995 - 01/1999
  - Irico Color CRT General Plant, General Manager of Sales Company
- 01/1999 – 04/2001
  - Irico Group Corporation, Deputy Director of Technical Center
- 04/2001 - 12/2004
  - Irico Group Corporation, Director of Manufacturing Department
- 12/2004 – 07/2005
  - Irico Electronics, Assistant to the CEO and General Manager of the Operation Department
- 08/2005 – 11/2007
  - Irico Electronics, Deputy CEO; Irico Display, Chairman of the Board of Directors
- 12/2007 – 09/2011
  - Irico Display, General Manager
- 09/2011 – 09/2013
  - Irico Group Corporation, General Economist and General Manager of Shaanxi Branch (*retired*)

• **Jian-she Wei:**

- 08/1981 – 12/1989
  - Irico 4400 Plant, a Team Leader of part of an assembly line
- 12/1989 – 08/1990
  - Caizhu Electronic Industry Company, Deputy General Manager
- 08/1990 – 01/1999
  - Caizhu Electronic Industry Company (now named Zhuhai Caizhu Industry Company), General Manager
- 01/1999 – 11/2000
  - Irico Group, Sales Company, Deputy General Manager
- 11/2000 – 01/2004
  - Irico Group, Sales Company, General Manager
- 01/2004 – 05/2005

- Shenzhen Caihong Huangqi Electronic Information Company, Director, Deputy Chairman of the Board of Directors, General Manager
- 05/2005 – 04/2018
  - Zhuhai Caizhu Industry Company, on leave (*retired*)

- **Xiaolin Shen**

- 03/1984 – 01/1992
  - Irigo Group Corporation, CRT Plant No. 1, Secretary of the company's office and Director of the company's office
- 10/1992 – 08/2004
  - Irigo Group Corporation, Sales Company, Assistant to the General Manager and Deputy General Manager
- 08/2004 – 11/2007
  - Irigo Group Corporation, Sales Company, General Manager
- 11/2007 – 01/2009
  - Irigo Display, Assistant to General Manager and General Manager of Sales Department
- 01/2009 – 09/2013
  - Irigo Display, Deputy General Manager, and General Manager of Sales Department
- 09/2013 – 10/2015
  - Zhuhai Caizhu Limited Company, Managing Director (*retired*)

Dated: August 24, 2018

/s/ Stuart C. Plunkett

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*Attorneys for Defendants*  
**IRICO GROUP CORP. and**  
**IRICO DISPLAY DEVICES CO., LTD.**

**CERTIFICATE OF SERVICE**

I declare that I am employed in the County of San Francisco, California. I am over the age of eighteen years and not a party to the within case; my business address is: Baker Botts LLP, 101 California Street, Suite 3600, San Francisco, CA 94111.

On August 24, 2018, I served the following document(s) described as:

**IRICO DEFENDANTS' SECOND SUPPLEMENTAL OBJECTIONS AND RESPONSES  
TO DIRECT PURCHASER PLAINTIFF STUDIO SPECTRUM, INC.'S  
FIRST SET OF INTERROGATORIES**

on the following interested parties in this action:

Guido Saveri (guido@saveri.com)  
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Geoffrey C. Rushing (grushing@saveri.com)  
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Plaintiffs*

[ ] (BY OVERNIGHT DELIVERY) I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses listed above. I placed the envelope or package for collection and overnight delivery at an office or regularly utilized drop box of the overnight delivery carrier.

[ ] (BY MAIL) by placing a true copy thereof in a sealed envelope with postage fully prepaid and addressed to the persons at the addresses as shown above. I am readily familiar with the business practice of Baker Botts LLP for collection and processing of correspondence for mailing with the United States Postal Service, and the correspondence would be deposited with United States Postal Service that same day in the ordinary course of business.



1 [X] (BY ELECTRONIC MAIL) I caused such documents to be sent to the persons at the  
2 email addressed listed above. I did not receive, within a reasonable time after the  
3 transmission, any electronic message or other indication that the transmission was  
4 unsuccessful.

5 I declare under penalty of perjury under the laws of the State of California that the  
6 foregoing is true and correct. Executed on August 24, 2018, 2012 at San Francisco, California.

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*/s/ Stephanie DM Pearson*

Stephanie DM Pearson

# **EXHIBIT 5**

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*Attorneys for Defendants*  
*IRICO GROUP CORP. and*  
*IRICO DISPLAY DEVICES CO., LTD.*

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

IN RE: CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION

Case No. 3:07-cv-05944-JST

MDL No. 1917

This Document Relates to:

ALL DIRECT PURCHASER ACTIONS

**IRICO DEFENDANTS' THIRD  
SUPPLEMENTAL OBJECTIONS AND  
RESPONSES TO DIRECT  
PURCHASER PLAINTIFF STUDIO  
SPECTRUM, INC.'S FIRST SET OF  
INTERROGATORIES**

PROPOUNDING PARTY:

Direct Purchaser Plaintiff Studio Spectrum, Inc.

RESPONDING PARTIES:

Irigo Group Corporation  
Irigo Display Devices Co., Ltd.

SET NO.:

One

Pursuant to Federal Rules of Civil Procedure 26 and 33, Irico Group Corporation and Irico Display Devices Co, Ltd. (collectively, “Irico” or “Irico Defendants”) hereby respond to the Direct Purchaser Plaintiff Studio Spectrum, Inc.’s (“Plaintiff”) First Set of Interrogatories (“Interrogatories”). Irico reserves the right to amend or supplement these Objections and Responses (the “Responses”) to the extent allowed by the Federal Rules of Civil Procedure and the Local Rules of Practice in Civil Proceedings before the United States District Court for the Northern District of California (“Local Rules”). Subject to and without waiving any of Irico’s General and Specific Objections as set forth below, Irico is willing to meet and confer with Plaintiff regarding such General and Specific Objections.

The following Responses are made only for purposes of this case. The Responses are subject to all objections as to relevance, materiality and admissibility, and to any and all objections on any ground that would require exclusion of any response if it were introduced in court. All evidentiary objections and grounds are expressly reserved.

These Responses are subject to the provisions of the Stipulated Protective Order that the Court issued on June 18, 2008 (“Protective Order”). Irico’s Responses are hereby designated “Confidential” in accordance with the provisions of the Protective Order.

### **GENERAL OBJECTIONS**

Irico makes the following General Objections to Plaintiff’s Interrogatories:

1. Irico’s Responses are based upon information available to and located by Irico as of the date of service of these Responses. In responding to Plaintiff’s Interrogatories, Irico states that it has conducted, or will conduct, a diligent search, reasonable in scope, of those files and records in its possession, custody, or control believed to likely contain information responsive to Plaintiff’s Interrogatories.

2. No express, incidental, or implied admissions are intended by these Responses and should not be read or construed as such.

3. Irico does not intend, and its Responses should not be construed as, an agreement or acquiescence with any characterization of fact, assumption, or conclusion of law contained in

1 or implied by the Interrogatories.

2 4. To the extent that Irico responds to Plaintiff's Interrogatories by stating that Irico  
3 will produce or make available for examination responsive information or documents, Irico does  
4 not represent that any such information or documents exist. Irico will make a good faith and  
5 reasonable attempt to ascertain whether information responsive to Plaintiff's Interrogatories exists  
6 and is properly producible, and will produce or make available for examination non-privileged  
7 responsive materials to the extent any are located during the course of a reasonable search.

8 5. Irico objects to Plaintiff's Interrogatories to the extent that they are overly broad,  
9 unduly burdensome, oppressive, and duplicative to the extent that they seek information or  
10 documents that are already in the possession, custody, or control of Plaintiff.

11 6. Irico objects to Plaintiff's Interrogatories to the extent that they seek to impose  
12 obligations on Irico beyond those of the Federal Rules of Civil Procedure, the Local Rules, or any  
13 Order of this Court.

14 7. Irico objects to Plaintiff's Interrogatories to the extent they seek information that is  
15 not relevant to jurisdictional issues or disproportionate to the needs of the case in resolving such  
16 jurisdictional issues.

17 8. Irico objects to Plaintiff's Interrogatories to the extent that they are vague,  
18 ambiguous, or susceptible to more than one interpretation. Irico shall attempt to construe such  
19 vague or ambiguous Interrogatories so as to provide for the production of responsive information  
20 that is proportionate to the needs of the case. If Plaintiff subsequently asserts an interpretation of  
21 any Interrogatory that differs from Irico's understanding, Irico reserves the right to supplement or  
22 amend its Responses.

23 9. Irico objects to Plaintiff's Interrogatories to the extent that they contain terms that  
24 are insufficiently or imprecisely defined. Irico shall attempt to construe such vague or ambiguous  
25 Interrogatories so as to provide for the production of responsive information that is proportionate  
26 to the needs of the case.

1           10.     Irico objects to Plaintiff's Interrogatories to the extent that they seek information  
2 that is protected from disclosure by the attorney-client privilege, work product doctrine, joint  
3 defense or common interest privilege, self-evaluative privilege, or any other applicable privilege  
4 or immunity. Irico will provide only information that it believes to be non-privileged and  
5 otherwise properly discoverable. None of Irico's responses is intended nor should be construed as  
6 a waiver of any such privilege or immunity. The inadvertent or mistaken provision of any  
7 information or responsive documents subject to any such doctrine, privilege, protection or  
8 immunity from production shall not constitute a general, inadvertent, implicit, subject-matter,  
9 separate, independent or other waiver of such doctrine, privilege, protection or immunity from  
10 production.

11           11.     Irico objects to Plaintiff's Interrogatories to the extent that they call for  
12 information that is not in the possession, custody, or control of Irico. Irico also objects to the  
13 extent that any of Plaintiff's Interrogatories seek information from non-parties or third parties,  
14 including but not limited to any of Irico's subsidiary or affiliated companies.

15           12.     Irico objects to Plaintiff's Interrogatories to the extent that responding would  
16 require Irico to violate the privacy and/or confidentiality of a third party or confidentiality  
17 agreement with a third party.

18           13.     Irico objects to Plaintiff's Interrogatories to the extent that they seek information  
19 that is publicly available, already in Plaintiffs' possession, custody, or control, or more readily  
20 available from other sources.

21           14.     Irico objects to Plaintiff's Interrogatories to the extent that they seek information  
22 or documents concerning transactions outside the United States. Such Interrogatories are unduly  
23 burdensome and irrelevant because they do not relate to actions by Irico in or causing a direct  
24 effect in the United States. Such Interrogatories are also unduly burdensome and irrelevant to this  
25 pending action as Plaintiffs' class definition is confined to "all persons . . . who directly  
26 purchased a Cathode Ray Tube Product . . . in the United States" (see Direct Purchaser Plaintiffs'  
27 Consolidated Amended Complaint).

1           15.     Irico objects to Plaintiff's Interrogatories to the extent that compliance would  
2 require Irico to violate the laws, regulations, procedures, or orders of a judicial or regulatory body  
3 of foreign jurisdictions.

4           16.     Irico's responses, whether now or in the future, pursuant to Plaintiff's  
5 Interrogatories should not be construed as either (i) a waiver of any of Irico's general or specific  
6 objections or (ii) an admission that such information or documents are either relevant or  
7 admissible as evidence.

8           17.     Irico objects to Plaintiff's Interrogatories to the extent that compliance would  
9 require Irico to seek information stored on backup or archived databases or other systems that are  
10 not readily accessible or otherwise no longer active.

11          18.     Irico objects to Plaintiff's Interrogatories to the extent that they are compound  
12 and/or contain discrete subparts in violation of Federal Rule of Civil Procedure 33(a)(1).

13          19.     Irico objects to Plaintiff's Interrogatories to the extent that they state and/or call for  
14 legal conclusions.

15          20.     Irico objects to the Interrogatories to the extent that they contain express or  
16 implied assumptions of fact or law with respect to the matters at issue in this case.

17          21.     Irico reserves the right to assert additional General and Specific Objections as  
18 appropriate to supplement these Responses.

19                 These General Objections apply to each Interrogatory as though restated in full in the  
20 responses thereto. The failure to mention any of the foregoing General Objections in the specific  
21 responses set forth below shall not be deemed as a waiver of such objections or limitations.

22                   **GENERAL OBJECTIONS TO DEFINITIONS AND INSTRUCTIONS**

23          1.     Irico objects to the definitions of "You" and "Your" (Definition No. 6) to the  
24 extent that Plaintiff defines those terms to include the Irico's "predecessors, successors,  
25 subsidiaries, departments, divisions, and/or affiliates." This definition is legally incorrect,  
26 overbroad, unduly burdensome, vague, and ambiguous. Irico also objects to the inclusion of "all  
27 present and former directors, officers, Employees, agents, representatives or any Persons acting or

1 purporting to act on behalf of” Irico within this definition to the extent it purports to encompass  
2 information that is protected by attorney-client privilege, work product protection or any other  
3 applicable doctrine, privilege, protection or immunity or otherwise calls for a legal conclusion.

4 2. Irico objects to the definition of “Document” (Definition No. 8) to the extent it  
5 seeks to impose requirements that are beyond those imposed by the Federal Rules of Civil  
6 Procedure, the Local Rules, or any other applicable laws.

7 3. Irico objects to the definition of “Employee” (Definition No. 9) on the grounds  
8 that it calls for a legal conclusion and is otherwise vague, ambiguous, and overly broad. Irico  
9 further objects to this definition to the extent that it attempts to impose burdens on Irico beyond  
10 those imposed by the Federal Rules of Civil Procedure. Irico further objects to this definition to  
11 the extent that it seeks information protected by the attorney client or other applicable privilege,  
12 attorney work product doctrine, or otherwise seeks to violate rights of privacy under U.S. or  
13 foreign law.

14 4. Irico objects to the definitions of “CRT” and “CRT Products” (Definitions No. 10  
15 and 11) on the grounds that they are vague, ambiguous and overly broad. Irico further objects to  
16 the use of the term “CRT Products” to the extent that it is inconsistent with the definition of  
17 “CRT Products” as set forth in Plaintiff’s pleadings.

18 5. Irico objects to the definition of the “Relevant Time Period” (Definition No. 12) as  
19 overbroad, unduly burdensome, beyond the applicable statute of limitations, and beyond the  
20 relevant time period for determining jurisdictional issues.

21 6. Irico objects to the definition of “Communication” (Definition No. 14) on the  
22 grounds that it is vague, ambiguous, and overly broad. Irico further objects to this definition to the  
23 extent that it attempts to impose burdens on Irico beyond those imposed by the Federal Rules of  
24 Civil Procedure.

25 7. Irico objects to the definition of “Meeting” (Definition No. 16) on the grounds that  
26 the definition is overly broad, unduly burdensome, and seeks information that is neither relevant  
27 nor proportionate to the needs of the case.



8. Irico objects to Instruction No. 1 (related to identification of persons) to the extent that it purports to impose burdens or obligations broader than, inconsistent with, or not authorized under the Federal Rules of Civil Procedure, including, without limiting the generality of the foregoing, Rule 26(b)(5)(A) and Rule 26(e)(1). Irico further objects to this Instruction to the extent that it purports to impose burdens or obligations broader than, inconsistent with, or not authorized under, the Local Rules and any orders of the Court, and on the grounds that it is vague, ambiguous, and inconsistent with common usage. Irico further objects to this Instruction to the extent it seeks information that would disclose personal confidential information and/or violate any and all rights of privacy under the United States Constitution or Article I of the Constitution of the State of California, or any other applicable law or state constitution, or that is otherwise prohibited from disclosure because to do so would cause Irico to violate legal and/or contractual obligations to any other persons or entities.

9. Irico objects to Instruction No. 2 (related to identification of an entity other than a natural person) to the extent that it purports to impose burdens or obligations broader than, inconsistent with, or not authorized under the Federal Rules of Civil Procedure or other applicable rule or Order of this Court.

10. Irico objects to Instruction No. 3 (related to the production of business records in response to an interrogatory pursuant to Federal Rule of Civil Procedure 33(d)) on the grounds that it is unduly burdensome and purports to impose burdens and obligations upon Irico beyond those required by the Federal Rules of Civil Procedure or other applicable rule or Order of this Court.

### **SPECIFIC RESPONSES TO INTERROGATORIES**

#### **INTERROGATORY NO. 20**

Please describe with particularity Irico's sales and marketing of CRT Products in the United States during the Class Period, and/or attempts to sell or market any CRT Products in the United States during the Class Period, including:

a. The identity of all Persons with knowledge of such sales and marketing and/or

attempts to sell or market CRT Products in the United States; and

- b. The identity of all Documents referring or relating to such sales and marketing and/or attempts to sell or market CRT Products in the United States.

**RESPONSE TO INTERROGATORY NO. 20**

Irico reasserts and incorporates each of the General Objections and Objections to the Definitions and Instructions set forth above. Irigo further objects that this request seeks information and documents beyond the scope of what is relevant to resolving jurisdictional issues and beyond that authorized under the Court's April 25, 2018 Order Denying Plaintiffs' Motion to Compel. Irigo also objects that this request is overbroad, unduly burdensome, and disproportionate to the needs of the case in resolving jurisdictional issues. Irigo also objects to this interrogatory on the grounds that identification of "all Persons" and "all Documents" is overbroad, unduly burdensome, and disproportionate to the needs of the case.

Subject to and without waiving these objections and pursuant to Federal Rule of Civil Procedure 33(d), Irigo will produce or make available for inspection business records from which the answer to this Interrogatory may be determined.

Irico further states that Guo Menquan and Tao Long have knowledge of this subject.

**SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 20**

Subject to and without waiving the objections stated above and pursuant to the Special Master's August 2, 2018 order (Dkt. No. 5320), Irigo responds as follows:

The managerial persons with knowledge of any United States sales of Irigo's CRT Products throughout the class period and their work histories are as follows:

- Tao Long (current employee)
  - May 1992-Oct. 1996: Accountant in the Finance Department, Irigo Group
  - Oct. 1996-Nov. 2000: Chief of Finance, Irigo CRT No. 1 Plant
  - Nov. 2000-June 2007: Chief of Finance, Irigo Group Glass Factory
  - July 2009-Nov. 2009: Deputy Director (Finance), Irigo Display
  - Nov. 2009-Oct. 2010: Director (Capital Operation), Irigo Display

- Apr. 2010-present: Secretary to the Board of Directors, Irico Display
- Aug. 2013-Apr. 2014 (concurrent): Director (Finance), Irico Display
- Guo Mengquan (former employee, retired May 2017)
  - Sept. 1983-Jan. 1987: Technical employee, Shaanxi Color CRT Central Plant
  - Jan. 1987-Sept. 1988: Associate Director (CPT Department), Shaanxi Color CRT Central Plant
  - Sept. 1988-Jan. 1990: Director (CPT Department), Shaanxi Color CRT Central Plant
  - Jan. 1990-Sept. 1996: Associate General Manager (Glass Plant), Shaanxi Color CRT Central Plant
  - Sept. 1996-Apr. 2001: General Manager (Glass Plant), Shaanxi Color CRT Central Plant
  - Apr. 2001-Apr. 2013: Deputy General Manager, Irico Group
  - Aug. 2005-Nov. 2007 (concurrent): General Manager, Irico Electronics
  - Nov. 2007-Aug. 2011 (concurrent): Deputy Chairman of the Board, Irico Display
  - Apr. 2013-Apr. 2016: General Manager, Irico Group
  - June 2013-2015 (concurrent): Chairman of the Board, Irico Electronics
  - June 2013-May 2016 (concurrent): Chairman of the Board, Irico Display
  - Apr. 2016-May 2017: Deputy Chairman of the Board, Irico Group
- Zhaojie Wang (current employee of Irico Group subsidiary)
  - Work history detailed at Dkt. No. 5313-2, ¶¶ 1-7.

Pursuant to the Special Master's August 2, 2018 order (Dkt. No. 5320), Irico will further supplement this response by (1) identifying the locations of all repositories of any electronic documents or files relating to United States sales of Irico's CRT Products and the legal relationships of Irico and any entities that sold Irico's CRT Products in the United States

1 throughout the class period; and (2) providing summary explanations of sales records relevant to  
 2 United States sales of Irico's CRT Products and of "Irico's efforts to sell products in the U.S.  
 3 during the class period."

4 **SECOND SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 20**

5 Subject to and without waiving the objections stated above and pursuant to the Special  
 6 Master's August 2, 2018 order (Dkt. No. 5320), Irico provides the following responsive  
 7 descriptions:

8 **1. "Irico's efforts to sell products in the U.S. during the class period."**

9 During the relevant time period, Irico Group and Irico Display ("Irico") neither exported  
 10 nor planned to export CRT products to the U.S. Irico focused its production of CRTs on sales  
 11 within the domestic Chinese market. Such CRTs were generally considered outmoded by U.S.  
 12 standards. Thus, Irico did not target the U.S. market because its CRTs were several years behind  
 13 the U.S. demand.

14 Irico is aware from review of customs records that an independent company, CNEIECC,  
 15 resold samples of Irico's CRTs into the U.S. in an apparent effort to enter the U.S. market. Irico  
 16 understands this effort was ultimately a failure. CNEIECC did not report these efforts to Irico at  
 17 the time.

18 **2. "Summary explanations of sales records relevant to United States sales of**  
 19 **Irico's CRT Products and of Irico's efforts to sell products in the U.S. during**  
**the class period."**

20 First, Irico Group's corporate archives are located on the first and third floors of Building  
 21 102 of Irico Group Headquarters, 1 Caihong Road, Qindu District, Xianyang, Shaanxi Province,  
 22 People's Republic of China. These archives contain a total of over 150 file cabinets and over  
 23 5,500 file boxes, of which the following are potentially responsive to plaintiffs' discovery  
 24 requests:

- 25 a) Approximately 700 bound volumes of financial records for Irico Group, dated  
 26 from 1995 to 2007 and organized chronologically. These financial records include  
 27 contracts, receipts, invoices, approvals from the government, and approvals issued

by Irico Group relating to operations, suppliers, investment, and financing. Each volume ranges from approximately 100 to 300 pages depending on the volume of transactions in each period.

- b) Approximately 150 bound account books for Irico Group, dated from 1995 to 2007 and organized chronologically. These account books contain information on Irico Group's sales, assets, operations, and cash flow based on the financial documents described above. Each account book contains approximately 200 to 500 pages.

Second, additional financial archive files of Irico Group are located at the Caihong Building at 11 Shangdi Xinxu Road, Haidian District, Beijing, People's Republic of China. These archives contain approximately 730 bound volumes of financial records and over 70 account books dated between 1995 and 2007. These documents are organized chronologically and similar in content and size to the financial documents and account books described above at the Irico Group Headquarters location.

Third, Irico Display's corporate archives are stored within the archives of Shaanxi Irico Electronic Glass Co., a subsidiary of Irico Display. Approximately 1,500 bound account books for Irico Display, dated from 1995 to 2007 and organized chronologically. These account books contain information on Irico Display's sales, assets, operations, and cash flow. Each account book contains approximately 200 to 500 pages.

### **3. "Managerial persons with knowledge of any United States sales of Irico's CRT Products throughout the class period and their work histories"**

- **Ximin Wang:**

- 08/1978 - 02/1988
  - Irico 4400 Plant, Technician
- 03/1988 – 08/1994
  - Irico 4400 Plant CRT No.2 Plant, Director of the Electron Gun Department
- 08/1994 – 10/1995
  - Irico 4400 Plant, Director of Technical Department
- 10/1995 - 01/1999
  - Irico Color CRT General Plant, General Manager of Sales Company

- 01/1999 – 04/2001
  - Irico Group Corporation, Deputy Director of Technical Center
- 04/2001 - 12/2004
  - Irico Group Corporation, Director of Manufacturing Department
- 12/2004 – 07/2005
  - Irico Electronics, Assistant to the CEO and General Manager of the Operation Department
- 08/2005 – 11/2007
  - Irico Electronics, Deputy CEO; Irico Display, Chairman of the Board of Directors
- 12/2007 – 09/2011
  - Irico Display, General Manager
- 09/2011 – 09/2013
  - Irico Group Corporation, General Economist and General Manager of Shaanxi Branch (*retired*)

• **Jian-she Wei:**

- 08/1981 – 12/1989
  - Irico 4400 Plant, a Team Leader of part of an assembly line
- 12/1989 – 08/1990
  - Caizhu Electronic Industry Company, Deputy General Manager
- 08/1990 – 01/1999
  - Caizhu Electronic Industry Company (now named Zhuhai Caizhu Industry Company), General Manager
- 01/1999 – 11/2000
  - Irico Group, Sales Company, Deputy General Manager
- 11/2000 – 01/2004
  - Irico Group, Sales Company, General Manager
- 01/2004 – 05/2005
  - Shenzhen Caihong Huangqi Electronic Information Company, Director, Deputy Chairman of the Board of Directors, General Manager
- 05/2005 – 04/2018
  - Zhuhai Caizhu Industry Company, on leave (*retired*)

• **Xiaolin Shen**

- 03/1984 – 01/1992
  - Irico Group Corporation, CRT Plant No. 1, Secretary of the company's office and Director of the company's office
- 10/1992 – 08/2004
  - Irico Group Corporation, Sales Company, Assistant to the General Manager and Deputy General Manager
- 08/2004 – 11/2007
  - Irico Group Corporation, Sales Company, General Manager
- 11/2007 – 01/2009

- Irico Display, Assistant to General Manager and General Manager of Sales Department
- 01/2009 – 09/2013
  - Irico Display, Deputy General Manager, and General Manager of Sales Department
- 09/2013 – 10/2015
  - Zhuhai Caizhu Limited Company, Managing Director (*retired*)

### **THIRD SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 20**

Subject to and without waiving the objections stated above and pursuant to the Special Master's August 2, 2018 order (Dkt. No. 5320), Irico provides the following additional supplemental response:

#### **1. "identifying the locations of all repositories of any electronic documents or files relating to United States sales of Irico's CRT Products"**

Irico does not possess any repository of electronic documents or files relating to United States sales of Irico's CRTs. Irico is aware of one database of electronic sales records that contains sales information during the relevant period. This database consists solely of non-U.S. sales, and Irico is reviewing it for responsiveness.

#### **2. "identifying the locations of all repositories of any electronic documents or files relating to . . . the legal relationships of Irico and any entities that sold Irico's CRT Products in the United States throughout the class period"**

Irico's only records concerning the export or sale of its CRTs into the United States are the hard-copy Chinese customs records of CNEIECC's sale of Irico CRTs, which have been produced. Irico itself made no sales of its products to the United States and is not aware of any other entity that sold Irico's CRTs to the United States, and thus Irico does not have any other documents or reports concerning any sale or attempted sale into the United States.

CNEIECC and Irico's relationship is one of customer and supplier. The two companies are separate entities that have had separate shareholders and management at all relevant times. The only documents Irico is aware of relating to their relationship of the companies are (1) Irico's invoices and receipts from sales to CNEIECC and (2) Irico's sales contracts with CNEIECC. Chinese accounting rules and Irico's internal policies designate invoices—not contracts—as the

1 official records of sale. Thus, Irico generally retains all invoices but has few sales contracts.  
 2 Irico's invoices and receipts from Irico's sales to CNEIECC are stored in Irico's corporate  
 3 archive located in Xianyang City. As stated in Irico's May 4, 2018 initial responses, August 3rd  
 4 meet and confer, August 7th letter, August 22nd letter, and August 31st meet and confer, these  
 5 archival documents are available for inspection. Irico will produce the contracts with CNEIECC  
 6 that it has located.

7  
 8 Dated: September 4, 2018  
 9

10 /s/ Stuart C. Plunkett

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 12 stuart.plunkett@bakerbotts.com  
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 24 Washington, D.C. 20004  
 25 Telephone: (202)-639-7700  
 26 Facsimile: (202)-639-7890

27 *Attorneys for Defendants*  
 28 *IRICO GROUP CORP. and*  
*IRICO DISPLAY DEVICES CO., LTD.*



**CERTIFICATE OF SERVICE**

I declare that I am employed in the County of San Francisco, California. I am over the age of eighteen years and not a party to the within case; my business address is: Baker Botts LLP, 101 California Street, Suite 3600, San Francisco, CA 94111.

On September 4, 2018, I served the following document(s) described as:

**IRICO DEFENDANTS' THIRD SUPPLEMENTAL OBJECTIONS AND RESPONSES TO  
DIRECT PURCHASER PLAINTIFF STUDIO SPECTRUM, INC.'S  
FIRST SET OF INTERROGATORIES**

on the following interested parties in this action:

Guido Saveri (guido@saveri.com)  
R. Alexander Saveri (rick@saveri.com)  
Geoffrey C. Rushing (grushing@saveri.com)  
Cadio Zirpoli (cadio@saveri.com)  
Matthew D. Heaphy (mheaphy@saveri.com)  
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Plaintiffs*

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Plaintiffs*

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D (415) 633-1912

*Lead Counsel for the Indirect Purchaser  
Plaintiffs*

[ ] (BY OVERNIGHT DELIVERY) I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses listed above. I placed the envelope or package for collection and overnight delivery at an office or regularly utilized drop box of the overnight delivery carrier.

[ ] (BY MAIL) by placing a true copy thereof in a sealed envelope with postage fully prepaid and addressed to the persons at the addresses as shown above. I am readily familiar with the business practice of Baker Botts LLP for collection and processing of correspondence for mailing with the United States Postal Service, and the correspondence would be deposited with United States Postal Service that same day in the ordinary course of business.

1 [X] (BY ELECTRONIC MAIL) I caused such documents to be sent to the persons at the  
2 email addressed listed above. I did not receive, within a reasonable time after the  
3 transmission, any electronic message or other indication that the transmission was  
4 unsuccessful.

5 I declare under penalty of perjury under the laws of the State of California that the  
6 foregoing is true and correct. Executed on September 4, 2018, 2012 at San Francisco, California.

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*/s/ Reilly T. Stoler*

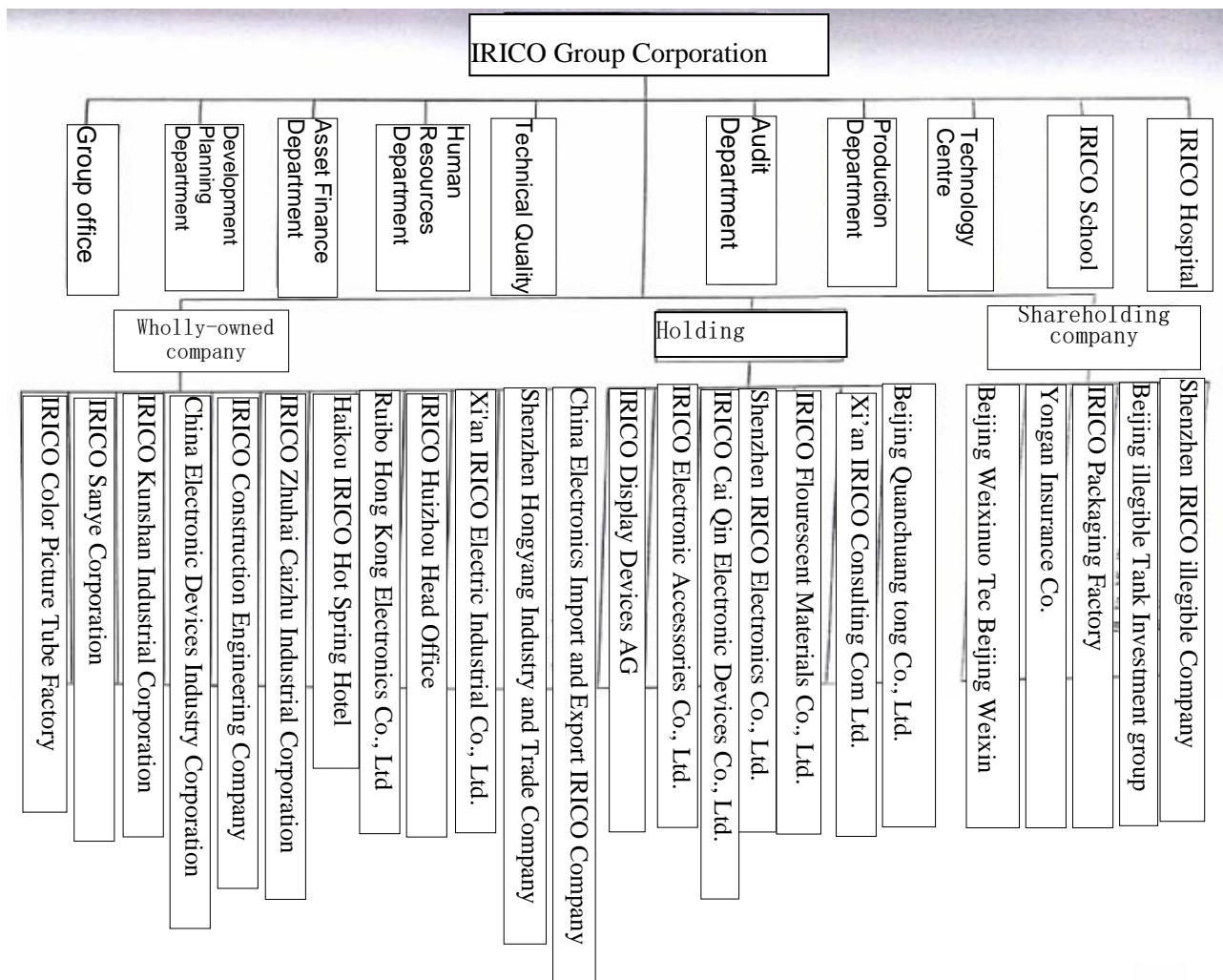
Reilly T. Stoler

# **EXHIBIT 6**

# Exhibit 49

## Annex 2

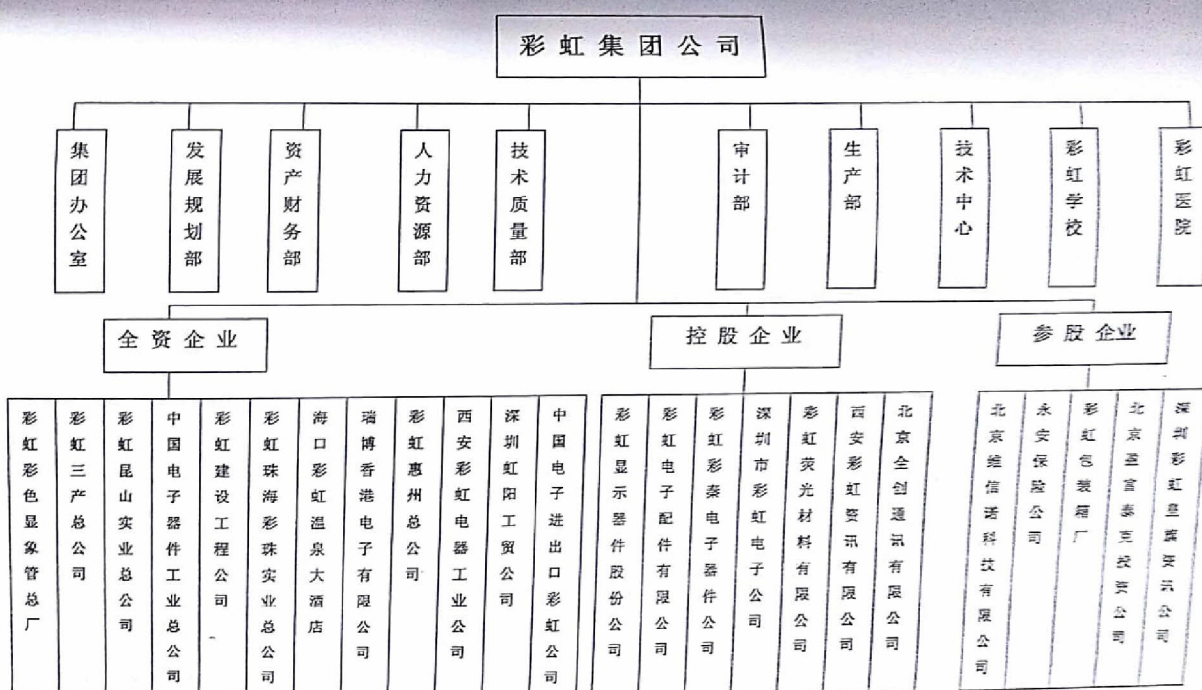
### IRICO Group Company Organisation Chart



Scanned and created by CamScanner

附件 2:

彩虹集团公司组织机构图



144



由 扫描全能王 扫描创建

# **EXHIBIT 7**

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10 *Attorneys for Defendants*  
*IRICO GROUP CORP. and*  
11 *IRICO DISPLAY DEVICES CO., LTD.*

12 **UNITED STATES DISTRICT COURT**  
13 **NORTHERN DISTRICT OF CALIFORNIA**  
14 **SAN FRANCISCO DIVISION**

15  
16 IN RE: CATHODE RAY TUBE (CRT)  
17 ANTITRUST LITIGATION

Case No. 3:07-cv-05944-JST

MDL No. 1917

18  
19 This Document Relates to:

20 ALL DIRECT PURCHASER ACTIONS  
21

**IRICO DEFENDANTS'  
SUPPLEMENTAL OBJECTIONS AND  
RESPONSES TO DIRECT  
PURCHASER PLAINTIFF STUDIO  
SPECTRUM, INC.'S FIRST SET OF  
INTERROGATORIES**

22  
23 PROPOUNDING PARTY:

Direct Purchaser Plaintiff Studio Spectrum, Inc.

24 RESPONDING PARTIES:

Irico Group Corporation  
Irico Display Devices Co., Ltd.

25 SET NO.:

One  
26  
27

28 IRICO'S SUPP. OBJECTIONS AND  
RESPONSES TO DPP'S FIRST SET  
INTERROGATORIES

Master File No. 3:07-cv-05944-SC  
MDL No. 1917



Pursuant to Federal Rules of Civil Procedure 26 and 33, Irico Group Corporation and Irico Display Devices Co, Ltd. (collectively, “Irico” or “Irico Defendants”) hereby respond to the Direct Purchaser Plaintiff Studio Spectrum, Inc.’s (“Plaintiff”) First Set of Interrogatories (“Interrogatories”). Irico reserves the right to amend or supplement these Objections and Responses (the “Responses”) to the extent allowed by the Federal Rules of Civil Procedure and the Local Rules of Practice in Civil Proceedings before the United States District Court for the Northern District of California (“Local Rules”). Subject to and without waiving any of Irico’s General and Specific Objections as set forth below, Irico is willing to meet and confer with Plaintiff regarding such General and Specific Objections.

The following Responses are made only for purposes of this case. The Responses are subject to all objections as to relevance, materiality and admissibility, and to any and all objections on any ground that would require exclusion of any response if it were introduced in court. All evidentiary objections and grounds are expressly reserved.

These Responses are subject to the provisions of the Stipulated Protective Order that the Court issued on June 18, 2008 (“Protective Order”). Irico’s Responses are hereby designated “Confidential” in accordance with the provisions of the Protective Order.

### **GENERAL OBJECTIONS**

Irico makes the following General Objections to Plaintiff’s Interrogatories:

1. Irico’s Responses are based upon information available to and located by Irico as of the date of service of these Responses. In responding to Plaintiff’s Interrogatories, Irico states that it has conducted, or will conduct, a diligent search, reasonable in scope, of those files and records in its possession, custody, or control believed to likely contain information responsive to Plaintiff’s Interrogatories.

2. No express, incidental, or implied admissions are intended by these Responses and should not be read or construed as such.

3. Irico does not intend, and its Responses should not be construed as, an agreement or acquiescence with any characterization of fact, assumption, or conclusion of law contained in

1 or implied by the Interrogatories.

2 4. To the extent that Irico responds to Plaintiff's Interrogatories by stating that Irico  
3 will produce or make available for examination responsive information or documents, Irico does  
4 not represent that any such information or documents exist. Irico will make a good faith and  
5 reasonable attempt to ascertain whether information responsive to Plaintiff's Interrogatories exists  
6 and is properly producible, and will produce or make available for examination non-privileged  
7 responsive materials to the extent any are located during the course of a reasonable search.

8 5. Irico objects to Plaintiff's Interrogatories to the extent that they are overly broad,  
9 unduly burdensome, oppressive, and duplicative to the extent that they seek information or  
10 documents that are already in the possession, custody, or control of Plaintiff.

11 6. Irico objects to Plaintiff's Interrogatories to the extent that they seek to impose  
12 obligations on Irico beyond those of the Federal Rules of Civil Procedure, the Local Rules, or any  
13 Order of this Court.

14 7. Irico objects to Plaintiff's Interrogatories to the extent they seek information that is  
15 not relevant to jurisdictional issues or disproportionate to the needs of the case in resolving such  
16 jurisdictional issues.

17 8. Irico objects to Plaintiff's Interrogatories to the extent that they are vague,  
18 ambiguous, or susceptible to more than one interpretation. Irico shall attempt to construe such  
19 vague or ambiguous Interrogatories so as to provide for the production of responsive information  
20 that is proportionate to the needs of the case. If Plaintiff subsequently asserts an interpretation of  
21 any Interrogatory that differs from Irico's understanding, Irico reserves the right to supplement or  
22 amend its Responses.

23 9. Irico objects to Plaintiff's Interrogatories to the extent that they contain terms that  
24 are insufficiently or imprecisely defined. Irico shall attempt to construe such vague or ambiguous  
25 Interrogatories so as to provide for the production of responsive information that is proportionate  
26 to the needs of the case.

1           10.     Irico objects to Plaintiff's Interrogatories to the extent that they seek information  
2 that is protected from disclosure by the attorney-client privilege, work product doctrine, joint  
3 defense or common interest privilege, self-evaluative privilege, or any other applicable privilege  
4 or immunity. Irico will provide only information that it believes to be non-privileged and  
5 otherwise properly discoverable. None of Irico's responses is intended nor should be construed as  
6 a waiver of any such privilege or immunity. The inadvertent or mistaken provision of any  
7 information or responsive documents subject to any such doctrine, privilege, protection or  
8 immunity from production shall not constitute a general, inadvertent, implicit, subject-matter,  
9 separate, independent or other waiver of such doctrine, privilege, protection or immunity from  
10 production.

11           11.     Irico objects to Plaintiff's Interrogatories to the extent that they call for  
12 information that is not in the possession, custody, or control of Irico. Irico also objects to the  
13 extent that any of Plaintiff's Interrogatories seek information from non-parties or third parties,  
14 including but not limited to any of Irico's subsidiary or affiliated companies.

15           12.     Irico objects to Plaintiff's Interrogatories to the extent that responding would  
16 require Irico to violate the privacy and/or confidentiality of a third party or confidentiality  
17 agreement with a third party.

18           13.     Irico objects to Plaintiff's Interrogatories to the extent that they seek information  
19 that is publicly available, already in Plaintiffs' possession, custody, or control, or more readily  
20 available from other sources.

21           14.     Irico objects to Plaintiff's Interrogatories to the extent that they seek information  
22 or documents concerning transactions outside the United States. Such Interrogatories are unduly  
23 burdensome and irrelevant because they do not relate to actions by Irico in or causing a direct  
24 effect in the United States. Such Interrogatories are also unduly burdensome and irrelevant to this  
25 pending action as Plaintiffs' class definition is confined to "all persons . . . who directly  
26 purchased a Cathode Ray Tube Product . . . in the United States" (see Direct Purchaser Plaintiffs'  
27 Consolidated Amended Complaint).

1           15.     Irico objects to Plaintiff's Interrogatories to the extent that compliance would  
2 require Irico to violate the laws, regulations, procedures, or orders of a judicial or regulatory body  
3 of foreign jurisdictions.

4           16.     Irico's responses, whether now or in the future, pursuant to Plaintiff's  
5 Interrogatories should not be construed as either (i) a waiver of any of Irico's general or specific  
6 objections or (ii) an admission that such information or documents are either relevant or  
7 admissible as evidence.

8           17.     Irico objects to Plaintiff's Interrogatories to the extent that compliance would  
9 require Irico to seek information stored on backup or archived databases or other systems that are  
10 not readily accessible or otherwise no longer active.

11          18.     Irico objects to Plaintiff's Interrogatories to the extent that they are compound  
12 and/or contain discrete subparts in violation of Federal Rule of Civil Procedure 33(a)(1).

13          19.     Irico objects to Plaintiff's Interrogatories to the extent that they state and/or call for  
14 legal conclusions.

15          20.     Irico objects to the Interrogatories to the extent that they contain express or  
16 implied assumptions of fact or law with respect to the matters at issue in this case.

17          21.     Irico reserves the right to assert additional General and Specific Objections as  
18 appropriate to supplement these Responses.

19                 These General Objections apply to each Interrogatory as though restated in full in the  
20 responses thereto. The failure to mention any of the foregoing General Objections in the specific  
21 responses set forth below shall not be deemed as a waiver of such objections or limitations.

22                   **GENERAL OBJECTIONS TO DEFINITIONS AND INSTRUCTIONS**

23          1.     Irico objects to the definitions of "You" and "Your" (Definition No. 6) to the  
24 extent that Plaintiff defines those terms to include the Irico's "predecessors, successors,  
25 subsidiaries, departments, divisions, and/or affiliates." This definition is legally incorrect,  
26 overbroad, unduly burdensome, vague, and ambiguous. Irico also objects to the inclusion of "all  
27 present and former directors, officers, Employees, agents, representatives or any Persons acting or

1 purporting to act on behalf of” Irico within this definition to the extent it purports to encompass  
2 information that is protected by attorney-client privilege, work product protection or any other  
3 applicable doctrine, privilege, protection or immunity or otherwise calls for a legal conclusion.

4 2. Irico objects to the definition of “Document” (Definition No. 8) to the extent it  
5 seeks to impose requirements that are beyond those imposed by the Federal Rules of Civil  
6 Procedure, the Local Rules, or any other applicable laws.

7 3. Irico objects to the definition of “Employee” (Definition No. 9) on the grounds  
8 that it calls for a legal conclusion and is otherwise vague, ambiguous, and overly broad. Irico  
9 further objects to this definition to the extent that it attempts to impose burdens on Irico beyond  
10 those imposed by the Federal Rules of Civil Procedure. Irico further objects to this definition to  
11 the extent that it seeks information protected by the attorney client or other applicable privilege,  
12 attorney work product doctrine, or otherwise seeks to violate rights of privacy under U.S. or  
13 foreign law.

14 4. Irico objects to the definitions of “CRT” and “CRT Products” (Definitions No. 10  
15 and 11) on the grounds that they are vague, ambiguous and overly broad. Irico further objects to  
16 the use of the term “CRT Products” to the extent that it is inconsistent with the definition of  
17 “CRT Products” as set forth in Plaintiff’s pleadings.

18 5. Irico objects to the definition of the “Relevant Time Period” (Definition No. 12) as  
19 overbroad, unduly burdensome, beyond the applicable statute of limitations, and beyond the  
20 relevant time period for determining jurisdictional issues.

21 6. Irico objects to the definition of “Communication” (Definition No. 14) on the  
22 grounds that it is vague, ambiguous, and overly broad. Irico further objects to this definition to the  
23 extent that it attempts to impose burdens on Irico beyond those imposed by the Federal Rules of  
24 Civil Procedure.

25 7. Irico objects to the definition of “Meeting” (Definition No. 16) on the grounds that  
26 the definition is overly broad, unduly burdensome, and seeks information that is neither relevant  
27 nor proportionate to the needs of the case.

8. Irico objects to Instruction No. 1 (related to identification of persons) to the extent that it purports to impose burdens or obligations broader than, inconsistent with, or not authorized under the Federal Rules of Civil Procedure, including, without limiting the generality of the foregoing, Rule 26(b)(5)(A) and Rule 26(e)(1). Irico further objects to this Instruction to the extent that it purports to impose burdens or obligations broader than, inconsistent with, or not authorized under, the Local Rules and any orders of the Court, and on the grounds that it is vague, ambiguous, and inconsistent with common usage. Irico further objects to this Instruction to the extent it seeks information that would disclose personal confidential information and/or violate any and all rights of privacy under the United States Constitution or Article I of the Constitution of the State of California, or any other applicable law or state constitution, or that is otherwise prohibited from disclosure because to do so would cause Irico to violate legal and/or contractual obligations to any other persons or entities.

9. Irico objects to Instruction No. 2 (related to identification of an entity other than a natural person) to the extent that it purports to impose burdens or obligations broader than, inconsistent with, or not authorized under the Federal Rules of Civil Procedure or other applicable rule or Order of this Court.

10. Irico objects to Instruction No. 3 (related to the production of business records in response to an interrogatory pursuant to Federal Rule of Civil Procedure 33(d)) on the grounds that it is unduly burdensome and purports to impose burdens and obligations upon Irico beyond those required by the Federal Rules of Civil Procedure or other applicable rule or Order of this Court.

### **SPECIFIC RESPONSES TO INTERROGATORIES**

#### **INTERROGATORY NO. 9**

Please describe with particularity all investigation or collection of information that Wenkai Zhang performed in connection with the preparation of his declaration, including:

- a. The identity of all Employees, officers or agents of Irico with whom he communicated (whether oral or written) in connection with his declaration; and

b. The identity of all Documents he reviewed in connection with his declaration.

**RESPONSE TO INTERROGATORY NO. 9**

Irico reasserts and incorporates each of the General Objections and Objections to the Definitions and Instructions set forth above. Irigo further objects that this request seeks information and documents beyond the scope of what is relevant to resolving jurisdictional issues and beyond that authorized under the Court's April 25, 2018 Order Denying Plaintiffs' Motion to Compel. Mr. Zhang's declaration is no longer at issue, because his declaration was submitted in support of Irigo's Motion to Set Aside Default, which the Court has already decided. Irigo also objects that this request is overbroad, unduly burdensome, and disproportionate to the needs of the case in resolving jurisdictional issues. Irigo also objects that this request calls for information and documents that are privileged under the attorney-client privilege and work product doctrine. Irigo also objects to this interrogatory on the grounds that identification of "all Persons" and "all Documents" is overbroad, unduly burdensome, and disproportionate to the needs of the case.

**SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 9**

Subject to and without waiving the objections stated above and pursuant to the Special Master's August 2, 2018 order (Dkt. No. 5320), Irigo responds as follows:

Mr. Zhang does not remember with specificity which documents he reviewed on which dates while preparing the declaration he executed on October 25, 2017, but he began reviewing documents in September of 2017 and completed his review in December of 2017. In this process, Mr. Zhang reviewed (1) all documents Bates labeled IRI-CRT-00000001 through -904; and (2) archival sales and accounting records that Irigo has previously agreed to make available for inspection. These archival records were provided to Mr. Zhang by: Mei Li, Director of Irigo Group Archive; Hua Yang, Director of Department of Accounting of Irigo Group; Tao Long, Secretary to the Board of Directors of Irigo Display.

Aside from his discussions with outside counsel, Mr. Zhang communicated about the preparation of his declaration with Zhaojie Wang, Yunlong Yan, Ye Yang, and Tao Long.

**INTERROGATORY NO. 20**

Please describe with particularity Irico's sales and marketing of CRT Products in the United States during the Class Period, and/or attempts to sell or market any CRT Products in the United States during the Class Period, including:

- a. The identity of all Persons with knowledge of such sales and marketing and/or attempts to sell or market CRT Products in the United States; and
- b. The identity of all Documents referring or relating to such sales and marketing and/or attempts to sell or market CRT Products in the United States.

**RESPONSE TO INTERROGATORY NO. 20**

Irico reasserts and incorporates each of the General Objections and Objections to the Definitions and Instructions set forth above. Irico further objects that this request seeks information and documents beyond the scope of what is relevant to resolving jurisdictional issues and beyond that authorized under the Court's April 25, 2018 Order Denying Plaintiffs' Motion to Compel. Irico also objects that this request is overbroad, unduly burdensome, and disproportionate to the needs of the case in resolving jurisdictional issues. Irico also objects to this interrogatory on the grounds that identification of "all Persons" and "all Documents" is overbroad, unduly burdensome, and disproportionate to the needs of the case.

Subject to and without waiving these objections and pursuant to Federal Rule of Civil Procedure 33(d), Irico will produce or make available for inspection business records from which the answer to this Interrogatory may be determined.

Irico further states that Guo Menquan and Tao Long have knowledge of this subject.

**SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 20**

Subject to and without waiving the objections stated above and pursuant to the Special Master's August 2, 2018 order (Dkt. No. 5320), Irico responds as follows:

The identity and work history of managerial persons with knowledge of Irico's CRT Product sales throughout the class period, including sales to the United States—if any—are as follows:



- 1           • Tao Long (current employee)
  - 2               ○ May 1992-Oct. 1996: Accountant in the Finance Department, Irigo Group
  - 3               ○ Oct. 1996-Nov. 2000: Chief of Finance, Irigo CRT No. 1 Plant
  - 4               ○ Nov. 2000-June 2007: Chief of Finance, Irigo Group Glass Factory
  - 5               ○ July 2009-Nov. 2009: Deputy Director (Finance), Irigo Display
  - 6               ○ Nov. 2009-Oct. 2010: Director (Capital Operation), Irigo Display
  - 7               ○ Apr. 2010-present: Secretary to the Board of Directors, Irigo Display
  - 8               ○ Aug. 2013-Apr. 2014 (concurrent): Director (Finance), Irigo Display
- 9           • Mengquan Guo (former employee, retired May 2017)
  - 10               ○ Work history detailed at Dkt. No. 5312-1, ¶¶ 1-13.
- 11           • Zhaojie Wang (current employee of Irigo Group subsidiary)
  - 12               ○ Work history detailed at Dkt. No. 5313-2, ¶¶ 1-7.
- 13           • Ximin Wang (former sales manager at Irigo Group)
  - 14               ○ Irigo will supplement work history when available.
- 15           • Jianshe Wei (former sales manager at Irigo Group)
  - 16               ○ Irigo will supplement work history when available.
- 17           • Xiaolin Shen (former sales manager at Irigo Group)
  - 18               ○ Irigo will supplement work history when available.

19           Pursuant to the Special Master's August 2, 2018 order (Dkt. No. 5320), Irigo will further  
 20 supplement this response by (1) identifying the locations of all repositories of any electronic  
 21 documents or files relating to United States sales of Irigo's CRT Products and the legal  
 22 relationships of Irigo and any entities that sold Irigo's CRT Products in the United States  
 23 throughout the class period; and (2) providing summary explanations of sales records relevant to  
 24 United States sales of Irigo's CRT Products and of "Irigo's efforts to sell products in the U.S.  
 25 during the class period."

1 Dated: August 10, 2018

2  
3 /s/ Erik Koons

4 Stuart C. Plunkett (State Bar No. 187971)  
5 stuart.plunkett@bakerbotts.com  
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11  
12 *Attorneys for Defendants*  
13 *IRICO GROUP CORP. and*  
14 *IRICO DISPLAY DEVICES CO., LTD.*

**CERTIFICATE OF SERVICE**

**In re: Cathode Ray Tube (CRT) Antitrust Litigation - MDL No. 1917**

I declare that I am employed in the County of San Francisco, California. I am over the age of eighteen years and not a party to the within case; my business address is: Baker Botts LLP, 101 California Street, Suite 3600, San Francisco, CA 94111.

On August 10, 2018, I served the following document(s) described as:

**IRICO DEFENDANTS' SUPPLEMENTAL OBJECTIONS AND RESPONSES TO  
DIRECT PURCHASER PLAINTIFF STUDIO SPECTRUM, INC.'S FIRST SET OF  
INTERROGATORIES**

on the following interested parties in this action:

Guido Saveri (guido@saveri.com)  
R. Alexander Saveri (rick@saveri.com)  
Geoffrey C. Rushing (grushing@saveri.com)  
Cadio Zirpoli (cadio@saveri.com)  
Matthew D. Heaphy (mheaphy@saveri.com)  
SAVERI & SAVERI, INC.  
706 Sansome St # 200,  
San Francisco, CA 94111

Mario N. Alioto (malio@tatp.com)  
Lauren C. Capurro (lauren russell@tatp.com)  
Joseph M. Patane (jpatane@tatp.com)  
TRUMP, ALIOTO, TRUMP & PRESCOTT,  
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2280 Union Street  
San Francisco, CA 94123

*Lead Counsel for the Direct Purchaser  
Plaintiffs*

*Lead Counsel for the Indirect Purchaser  
Plaintiffs*

Christopher Micheletti (cmicheletti@zelle.com)  
Qianwei Fu (qfu@zelle.com)  
ZELLE LLP  
44 Montgomery Street, Suite 3400  
San Francisco, CA 94104-4807  
D (415) 633-1912

*Lead Counsel for the Indirect Purchaser  
Plaintiffs*

[ ] (BY OVERNIGHT DELIVERY) I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses listed above. I placed the envelope or package for collection and overnight delivery at an office or regularly utilized drop box of the overnight delivery carrier.

[ ] (BY MAIL) by placing a true copy thereof in a sealed envelope with postage fully prepaid and addressed to the persons at the addresses as shown above. I am readily familiar with the business practice of Baker Botts LLP for collection and processing of correspondence for mailing with the United States Postal Service, and the correspondence would be deposited with United States Postal Service that same day in the ordinary course of business.

1 [X] (BY ELECTRONIC MAIL) I caused such documents to be sent to the persons at the  
2 email addressed listed above. I did not receive, within a reasonable time after the  
3 transmission, any electronic message or other indication that the transmission was  
4 unsuccessful.

5 I declare under penalty of perjury under the laws of the State of California that the  
6 foregoing is true and correct. Executed on August 10, 2018, 2012 at San Francisco, California.

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*/s/ Stephanie DM Pearson*

Stephanie DM Pearson

# **EXHIBIT 8**

**BAKER BOTTS** LLP

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PALO ALTO  
RIYADH

**SAN FRANCISCO**  
WASHINGTON

August 7, 2018

*VIA E-MAIL*

Geoffrey C. Rushing  
(email: grushing@saveri.com)  
SAVERI & SAVERI, INC.  
706 Sansome Street, Suite 200  
San Francisco, CA 94111

Stuart C. Plunkett  
TEL: 415.291.6203  
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stuart.plunkett@bakerbotts.com

Re: In re: Cathode Ray Tube (CRT) Antitrust Litigation -  
Master File No. 3:07-cv05944-SC; MDL No. 1917

Dear Geoff:

I write to provide additional information on the files that Irico has identified as responsive to plaintiffs' discovery requests. Enclosed with this letter is a description of documents that Irico is making available for inspection, their location, and approximate volume.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Stuart C. Plunkett

cc: Matthew D. Heaphy (E-mail: mheaphy@saveri.com)  
Guido Saveri (E-mail: guido@saveri.com)  
R. Alexander Saveri (E-mail: rick@saveri.com)  
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Christopher Micheletti (cmicheletti@zelle.com)

### **Summary of Irico Files Available for Inspection**

Hard copy records responsive to plaintiffs' discovery requests can be made available for inspection in three locations, two of which relate to Irico Group Corp. ("Irico Group") and one to Irico Display Devices Co. Ltd. ("Irico Display").

**First**, Irico Group's corporate archives are located on the first and third floors of Building 102 of Irico Group Headquarters, 1 Caihong Road, Qindu District, Xianyang, Shaanxi Province, People's Republic of China. These archives contain a total of over 150 file cabinets and over 5,500 file boxes, of which the following are responsive to plaintiffs' discovery requests:

1. Approximately 700 bound volumes of financial records for Irico Group, dated from 1995 to 2007 and organized chronologically. These financial records include contracts, receipts, invoices, approvals from the government, and approvals issued by Irico Group relating to operations, suppliers, investment, and financing. Each volume ranges from approximately 100 to 300 pages depending on the volume of transactions in each period.
2. Approximately 150 bound account books for Irico Group, dated from 1995 to 2007 and organized chronologically. These account books contain information on Irico Group's sales, assets, operations, and cash flow based on the financial documents described above. Each account book contains approximately 200 to 500 pages.
3. Approximately 5,400 file boxes of administrative documents dated from 1978 forward. These boxes contain a variety of documents issued to Irico Group by Chinese government agencies, including the Chinese Communist Party Central Committee, the State Council, the State-owned Assets Supervision and Administration Commission, the Ministry of Machinery and Electronics Industry, the Ministry of Electronics Industry, the Ministry of Industry and Information Technology, the Ministry of Finance, the State Planning Commission, the National Development and Reform Commission, the Organization Department of the CPC Central Committee, the Ministry of Human Resources and Social Security, the Shaanxi Provincial Party Committee, Shaanxi provincial government and other state bodies, ministries, commissions, and industry authorities, as well as administrative documents generated in the process of production and operation of Irico Group. Each file box contains approximately 400-800 pages. The boxes are organized in cabinets chronologically by year and by type of document within each year.

**Second**, additional financial archive files of Irico Group are located at the Caihong Building at 11 Shangdi Xinxu Road, Haidian District, Beijing, People's Republic of China. These archives contain approximately 730 bound volumes of financial records and over 70 account books dated between 1995 and 2007. These documents are organized chronologically and similar in content and size to the financial documents and account books described above at the Irico Group Headquarters location.

**Third**, Irico Display's corporate archives are stored within the archives of Shaanxi Irico Electronic Glass Co., a subsidiary of Irico Display, and in the office of Irico Display's Board of

Directors. Located in Xianyang, Shaanxi Province, People's Republic of China, these archives contain the following documents that are potentially responsive to plaintiffs' requests:

1. Approximately 1,500 bound account books for Irico Display, dated from 1995 to 2007 and organized chronologically. These account books contain information on Irico Display's sales, assets, operations, and cash flow. Each account book contains approximately 200 to 500 pages.
2. Approximately ten cabinets and two storage cartons containing administrative records of Irico Display from 1995 forward. These records include notices, replies and letters of appointment issued by provincial authorities and industry authorities such as the China Securities Regulatory Commission, Shaanxi Provincial Party Committee and Provincial Government, and Irico Group in connection with Irico Display's major investments, financial budgets, financial support and other major production and operation-related matters, as well as requests for support, reports, work reports and other important production and operation-related documents submitted by Irico Display to the above authorities and Irico Group. Each cabinet or carton contains approximately 3000 pages.